IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.32940 of 2008
SERAJ MIAN, son of Taiyab Mian, resident of village- Ghorghat,
P.S. Sultanganj, Distt. Bhagalpur ……. Petitioner
Versus
STATE OF BIHAR ….. Opposite party

06/ 18.11.2008 Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case under Sections 364, 395 and 397 of the Indian Penal Code, which was registered against 6-7 unknown accused.

It is submitted on behalf of the petitioner that he has been implicated at the instance of co-accused Subodh Yadav, who also implicated Rajesh Yadav and Rajesh Yadav has been admitted to the privilege of bail by another Bench of this Court under orders dated 9.5.2008, passed in Cr. Misc. No. 11733 of 2008. It is further submitted that petitioner's antecedent is absolutely clean and there is nothing to distinguish the case of the petitioner with the said Rajesh Yadav.

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Let the court below verify the antecedent of the petitioner, Seraj Mian and if his antecedent is absolutely clean, then only he be released on bail on furnishing bail bond of Rs. 5,000/- (Rs. five thousand only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 229 of 2007.

Arjun/ **(V.N. Sinha, J.)**